

Message Text

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
-----251112Z 035392 /13
P 250815Z JAN 77
FM AMEMBASSY PRAGUE
TO SECSTATE WASHDC PRIORITY 1935

C O N F I D E N T I A L SECTION 1 OF 2 PRAGUE 0235

EXDIS

E.O. 11652: GDS
TAGS: PFOR, PINT, PINS, SHUM, CSCE, CZ, US
SUBJECT: CHARTER 77 - IMPLICATIONS FOR US-CZECHOSLOVAK RELATIONS

REFS A. PRAGUE 0211 B. PRAGUE 0074 C. PRAGUE 0219 D. USNATO 02
94

1. EFFORTS OF THE CZECHOSLOVAK REGIME TO SUPPRESS THE DISSIDENTS WHO HAVE Banded together under "CHARTER 77" in order, inter alia, to focus world attention on their demands for basic human rights will inevitably affect US-Czechoslovak relations. So far, the direct impact of this regime-dissident confrontation on the United States has been confined mainly to crude and close surveillance of visiting Washington Post correspondent Michael Getler (ref A), evident commencement of harassment of US Fulbright Prof. Begnal, and slight increase in surveillance of some embassy personnel. Our difficulties regarding Czechoslovak media and in attempting to improve embassy contacts remain about the same as before the Charter 77 affair began. If the intimidation campaign continues, however, and especially if criminal charges are filed against more people for the sin of seeking rights specified in Czechoslovak law, it cannot help but directly conflict with broad US interests in championing human rights everywhere and in seeing that progress is made in this field at Belgrade 77.

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2. DURING THE PAST YEAR, WE MADE SOME SIGNIFICANT, ALBIET LIMITED, progress in improving relations with Czechoslovakia -- in achieving an agreed text of a scientific cultural exchanges agreement, ending travel restrictions on official personnel, gradually strengthening our culture exchange program, etc. This progress led the embassy a short time ago to suggest ways to move

AHEAD TOWARD RENEGOTIATION AND FINAL SETTLEMENT OF CLAIMS/GOLD (REF B). WE ALSO WERE INCLINED TO MOVE AS QUICKLY AS POSSIBLE TO SIGN THE SCIENTIFIC/CULTURAL EXCHANGES AGREEMENT AND ITS IMPLEMENTATION PROGRAMS. MOREOVER, WE WERE PREPARED FAIRLY SOON TO NOTIFY THE GOC OF A REDUCTION IN PRIOR NOTIFICATION TIME FOR THEIR MERCHANT SHIPS TO ENTER US PORTS AND TO RECOMMEND FAVORABLE AND PROMPT USG CONSIDERATION OF BILATERAL AGREEMENTS WITH CZECHOSLOVAKIA IN THE CIVIL AIR AND TEXTILE FIELDS. OF SPECIAL SHORT-TERM SIGNIFICANCE, WE WERE READY TO URGE THE DEPARTMENT TO START ACTIVE PREPARATION FOR THE PLANNED VISIT TO WASHINGTON, PERHAPS IN APRIL, OF DEPUTY FOREIGN MINISTER SPACIL AT ASSISTANT SECRETARY HARTMAN'S INVITATION.

3. AT THIS POINT, HOWEVER, I THINK IT WOULD BE WRONG TO PLAY "BUSINESS-AS-USUAL" BY MOVING AHEAD PROMPTLY IN AREAS OF OUR BILATERAL RELATIONS MENTIONED ABOVE. IT IS CLEAR THAT THE GOC WANTS TO PLAY THAT WAY. FOR EXAMPLE, ON JANUARY 10 THE ACTING DIRECTOR OF THE MFA SIXTH DEPARTMENT TOLD ME AT A RECEPTION AT THE MINISTRY THAT THE TEXT OF THE EXCHANGES AGREEMENT HAD BEEN SENT THE PREVIOUS DAY BY FOREIGN MINISTER CHNOUPEK TO OTHER AGENCIES OF THE CZECHOSLOVAK GOVERNMENT FOR THEIR CONSIDERATION; MFA EFFORTS TO EXPEDITE APPROVING THE AGREEMENT FOR SIGNATURE SEEM TO BE COMING SUBSTANTIALLY AHEAD OF THE "THREE MONTH" SCHEDULE ORIGINALLY INDICATED. IN A POSSIBLY RELATED MOVE TO IMPROVE US-GOC TIES, THE MINISTER OF FOREIGN TRADE TOLD ECONOMICS COUNSELOR ON JAN. 20 HE WAS EAGER TO MEET SECRETARY KREPS (REF C).

4. RATHER THAN PLAY ALONG WITH THE GOC, I PROPOSE THAT FOR THE TIME
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BEING WE MOVE FORWARD ONLY IN THOSE AREAS THAT ARE OF DIRECT AND IMPORTANT INTEREST TO THE US (SUCH AS THE CIVIL AIR AGREEMENT) AND FOREGO FURTHER ACTION ON THE OTHERS, UNTIL WE SEE MORE CLEARLY WHAT EVOLVES OUT OF THE CHARTER 77 CONFRONTATION. WE SHOULD LET THE GOC KNOW THAT AS A MATTER OF PRINCIPLE WE CANNOT REMAIN INDIFFERENT TO APPEALS OF ANY CITIZENRY ASKING FOR INTERNATIONAL SUPPORT IN A STRUGGLE FOR ELEMENTARY HUMAN RIGHTS. IF THE SITUATION FOR THE DISSIDENTS GREATLY WORSENS HERE, I BELIEVE THAT WE SHOULD SERIOUSLY CONSIDER INDEFINITELY POSTPONING THE SPACIL VISIT OR EVEN WITHDRAWING THE INVITATION.

5. IN ADDITION, THE EMBASSY PROPOSES:

A. PORT SECURITY - THAT WE DELAY INDEFINITELY INFORMING GOC OF REDUCTION IN NOTIFICATION TIME.

B. CIVIL AVIATION - THAT WE CONTINUE TO SUPPORT PANAM'S WISHES AS WE REACH AGREEMENT ON CONDITIONS FOR EXTENDING THE BILATERAL AIR TRANSPORT AGREEMENT WHICH FORMALLY EXPIRED DECEMBER 31,

1976. CURRENT UNWRITTEN "GENTLEMEN'S AGREEMENT" FOR INTERIM EXTENSION MUST EVENTUALLY BE REPLACED BY FORMAL EXTENSION. WE RECOMMEND THAT THIS BE DONE, IN SPITE OF CHARTER 77 ISSUE, IN ORDER TO PROTECT PANAM'S LANDING RIGHTS AND ITS COMMERCIAL INVESTMENT HERE.

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C O N F I D E N T I A L SECTION 2 OF 2 PRAGUE 0235

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C. TEXTILES - THAT WE BE IN NO HURRY TO REPLACE OUR BILATERAL AGREEMENT WITH A CONSULTATIVE MECHANISM, EVEN THOUGH WE ORIGINALLY PROPOSED THIS CHANGE. HOWEVER, GIVEN THE TECHNICAL NATURE OF THE CHANGE, WE SHOULD NOT DELAY ACTION ON THIS STEP UNDULY.

D. SCIENTIFIC/CULTURAL EXCHANGES: WE HAVE ABOUT ONE MONTH TO WATCH DEVELOPMENT OF CHARTER 77 ISSUE BEFORE DECISION IS REQUIRED ON WHETHER TO GO AHEAD WITH NEGOTIATING THE EXCHANGES IMPLEMENTATION PROGRAM AND TO SIGN AGREEMENT AND PROGRAM. HUMAN RIGHTS ISSUES ARE HIGHLY RELEVANT TO THIS AGREEMENT, SO WE SUGGEST DEPARTMENT CONTINUE TO PREPARE FOR IMPLEMENTATION NEGOTIATIONS AS ORIGINALLY SCHEDULED, I.E. POSSIBLY SOME TIME IN MARCH, BUT BE PREPARED TO POSTPONE THEM AT LAST MINUTE, IF POLITICAL CONSIDERATIONS REQUIRE.

E. CLAIMS/ GOD: HERE AGAIN WE SUGGEST DEPARTMENT PROCEED WITH GROUNDWORK FOR RENEGOTIATION, AS PROPOSED IN REF B, BUT NOT BECOME LOCKED INTO ANY TIME FRAMEWORK. CONGRESSIONAL CONSULTATIONS

SHOULD STRESS THAT IN REACHING USG SUBSTANTIVE NEGOTIATING POSITION WE ARE NOT COMMITTING OURSELVES TO TIMING. IN CONSIDERING WHEN TO PROPOSE OPENING RENEGOTIATION, WE WILL WANT TO CONSIDER NOT ONLY ISSUE OF HUMAN RIGHTS OF CZECHOSLOVAKS, BUT ALSO THE RIGHTS OF THE U.S. CLAIMANTS AND THE POSSIBILITY THAT IN CURRENT SITUATION GOC MAY BE MORE AMENABLE TO ACCEPTING TOUGHER

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SETTLEMENT TERMS THAN PREVIOUSLY.

6. AT THE SAME TIME, WE MUST TAKE INTO OUR CALCULATIONS THAT THE GOC MAY RETALIATE FOR A "GO-SLOW- APPROACH ON OUR PART BY SLOWING OR TEMPORARILY HALTING ITS PROCESSING OF DIVIDED FAMILY CASES.

7. THE DEPARTMENT MAY ALSO WANT TO CONSIDER MAKING THE HUMAN RIGHTS ISSUE IN CZECHOSLOVAKIA AN ITEM FOR DISCUSSION IN THE NATO COUNCIL AND SEEK TO COORDINATE AN ALLIED ATTITUDE TOWARD CURRENT RELATIONS WITH THIS COUNTRY--WITH SPECIAL ATTENTION TO HOW THE NATO DEMOCRACIES RESPOND TO THE CHARTER 77 STRUGGLE AS THE BELGRADE CSCE REVIEW GATHERING DRAWS NEARER. WE NOTE (REF D) THAT DISCUSSION OF DISSIDENT ACTIVITY IN USSR AND EE IS ALREADY ON AGENDA FOR COUNCIL'S FEBRUARY 7 MEETING.
BYRNE

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